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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

9 **KATHERINE SEARS AND VIRGINIA**
10 **SEGANOS**, individually, and on
behalf of others similarly
situated,

11 Plaintiffs,
vs.

12 **MID VALLEY ENTERPRISES, LLC** and
13 **PAHRUMP ICS LLC**, doing business as
“**SHERI’S RANCH**”,

14 Defendants.

15 Case: 2:19-cv-00532-APG-DJA

16 **JOINT STIPULATION AND ORDER**
17 **TO EXTEND TIME FOR**
18 **COMPLETION OF FACT**
19 **DISCOVERY**

20 *(First Request)*

21 Plaintiffs Katherine Sears and Virginia Seganos on behalf of themselves and all persons
22 who have opted in to this action (collectively “Plaintiffs”), and Defendant Mid Valley Enterprises,
23 LLC and Pahrump ICS LLC, pursuant to LR 26-3, hereby stipulate and agree to a sixty-day
24 extension of time to complete fact discovery, from March 24, 2022 to May 23, 2022, and further
25 state as follows:

26 1. On July 28, 2021, the Court issued a Scheduling Order under which fact discovery
27 is to be completed by March 24, 2022, expert discovery is to be completed by May 23, 2022, non-
dispositive motions are due by June 22, 2022, and dispositive motions are due 60 days after the
Court’s ruling on non-dispositive motions, or in the absence of any non-dispositive motions, by
August 18, 2022. [ECF No. 84]

28 2. The parties have diligently complied by the Court’s Scheduling Order by
exchanging written discovery requests and responses thereto, as well as responsive documents.

1 3. The parties have not taken any depositions. Plaintiffs intend to take a Fed. R. Civ.
2 P. 30(b)(6) deposition (for which they have provided topics to Defendants), and depositions of two
3 fact witnesses (Dena Duff and Jonathan Klempa). Defendants intend to depose the Named
4 Plaintiffs. Despite the parties' diligent attempts to complete these depositions by the March 24,
5 2022 close of fact discovery, counsel have been unable to find mutually convenient dates in that
6 time. However, counsel have confirmed their availability for the week of May 2 – May 6, 2022
7 and are working in good faith to schedule all of the foregoing depositions that week, all or most of
8 which will be taken in Las Vegas, Nevada. This will enable counsel, who are based in Pennsylvania
9 and New Jersey, respectively, to minimize travel costs.

10 4. There is good cause to extend the time to complete fact discovery to May 23, 2022,
11 as it would enable each side to take the depositions they seek, and would not impact any of the
12 other dates in the Courts' Scheduling Order. The parties do not seek to extend the May 23, 2022
13 for close of expert discovery, which has become obsolete since neither side seeks to introduce
14 expert testimony in this case. Nor do the parties propose extending the deadlines for motions.

15 5. The additional time will also afford the parties time to resolve a pending dispute
16 over whether Plaintiff Sears should be required to travel to Las Vegas, Nevada for an in-person
17 deposition (to which she currently objects on medical grounds) as opposed to being deposed in
18 person or remotely in her home in Iowa, which the parties have been unable to resolve despite
19 meeting and conferring, and for which the parties intend (through a separate submission) to seek
20 the assistance of Magistrate Judge Albregts to resolve.

21 6. If the Court does not approve this Stipulation, the parties alternatively request
22 approval from the Court pursuant to Fed. R. Civ. P. 29(b) for the parties to complete the depositions
23 of the Named Plaintiffs, Defendants (pursuant to Rule 30(b)(6), Dena Duff, and Jonathan Klempa
24 on or before May 23, 2022.

25 7. This is the Parties' first request to extend the time to complete fact discovery.

26 8. This Stipulation is made in good faith and is not intended for purposes of delay.

1 STIPULATED BY THE PARTIES:

2 DATED this 14th day of March, 2022.

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13 **IT IS SO ORDERED.**

14 DATED: March 15, 2022 By:

15 
16 DANIEL J. ALBREGTS
17 UNITED STATES MAGISTRATE JUDGE